



ENTERED

TAWANA C. MARSHALL, CLERK
THE DATE OF ENTRY IS
ON THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

A handwritten signature in black ink, appearing to read "Robert L. Jones", written over a horizontal line.

United States Bankruptcy Judge

Signed June 23, 2010

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

In re:

American Housing Foundation, Inc.

Debtor.

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Chapter 11

Case No.: 09-20232-RLJ

**INTERIM ORDER AUTHORIZING EMPLOYMENT OF GARDERE WYNNE SEWELL
LLP AS CO-COUNSEL TO THE CHAPTER 11 TRUSTEE**

This matter having come before this Court on the *Application for Order Authorizing Employment of Gardere Wynne Sewell LLP as Co-Counsel to Walter O'Cheskey, Chapter 11 Trustee Effective May 7, 2010* [Docket No. 1162] (the "**Application**")¹ pursuant to 11 U.S.C. §§ 105(a), 327, and 328 and Bankruptcy Rules 2014 and 2016 filed by Walter O'Cheskey, Chapter 11 Trustee (the "**Trustee**"); the Court finds that it has jurisdiction over this matter pursuant to 28

¹ All capitalized terms not defined herein shall have the meaning ascribed to them in the Application or the *Response to Objections to Application for Order Authorizing Employment of Gardere Wynne Sewell LLP as Co-Counsel to Walter O'Cheskey, Chapter 11 Trustee, Effective May 7, 2010* [Docket No. 1283].

U.S.C. §§ 157 and 1334; the Court finds that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); based on the procedures established by the Trustee and Gardere to ensure that the Chapter 11 Trustee Team will only represent the Chapter 11 Trustee in matters other than those related to JPMC and the Chapter 11 Trustee Team will be isolated from the JPMC Team and matters relating to JPMorgan's involvement in this case, the Court finds that under the circumstances Gardere (other than the JPMC Team) represents no interest or entity having an adverse interest in connection with this chapter 11 case and is a "disinterested" person pursuant to 11 U.S.C. § 101(14); the Court finds that the Trustee has shown good, sufficient, and sound business purpose and justification for the relief requested in the Application; the Court finds that the relief requested in the Application is in the best interests of the Trustee, American Housing Foundation, Inc.'s bankruptcy estate, and the creditors thereof; the Court finds that proper and adequate notice of the Application and the hearing thereon has been given and that no other or further notice is necessary; and the Court finds that, on the record herein after due deliberation thereon, including the agreements made on the record, good and sufficient cause exists for granting the relief requested therein; accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. The Application is **GRANTED**.
2. The Trustee is hereby authorized pursuant to 11 U.S.C. §§ 327 and 328 to employ and retain Gardere on an interim basis (the "**Interim Order**") as his co-counsel effective as of May 7, 2010; as such, Gardere is authorized to provide such professional services necessary in this case and to receive a fee for such services that is commensurate with its normal hourly rates

in place at the time such services were provided to the Trustee.

3. Gardere shall be compensated in accordance with the terms and conditions of Gardere's engagement with the Trustee as set forth in the Application, the procedure set forth in 11 U.S.C. §§ 330 and 331, and under such Bankruptcy Rules as may be applicable from time to time, and such procedures as may be fixed by order of this Court.

4. Notwithstanding any objection to the Application, this Interim Order shall be effective from entry until further order of this Court.

5. A final hearing (the "**Final Hearing**") on the Application is hereby set for August 12, 2010, at 1:30 p.m. to be heard via video at Rm. 100, 624 S. Polk St. Amarillo, Texas. A notice of the Final Hearing shall be filed with this Court and served only on the parties who objected to the Application. Such notice shall be sufficient and proper under the circumstances.

End of Order

Submitted and prepared by:

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PROPOSED COUNSEL TO THE CHAPTER 11 TRUSTEE